

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MARK A. PEREZ,</b>	:	<b>CIVIL ACTION</b>
<b>Petitioner</b>	:	
	:	
<b>vs.</b>	:	<b>NO 13-6085</b>
	:	
<b>SUPERINTENDENT COAL</b>	:	
<b>TOWNSHIP, et al.,</b>	:	
<b>Respondents</b>	:	

**ORDER**

**AND NOW**, this 19<sup>th</sup> day of December, 2016, upon careful and independent consideration of the petition for writ of *habeas corpus*, the response to the petition and appended exhibits, the reply, and available state court records, and after review of the thorough and well-reasoned Report and Recommendation of United States Magistrate Judge David R. Strawbridge, there being no Objections thereto, IT IS HEREBY ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The petition for writ of *habeas corpus* is DENIED;
3. A certificate of appealability shall not issue, in that the petitioner has not made a substantial showing of the denial of a constitutional right. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ Lawrence F. Stengel  
LAWRENCE F. STENGEL, J.